

1 WRIGHT, FINLAY & ZAK, LLP
2 T. Robert Finlay, Esq., SBN 167280
3 Nicole S. Dunn, Esq., SBN 213550
4 4665 MacArthur Court, Suite 200
5 Newport Beach, CA 92660
6 Telephone: (949) 477-5050; Facsimile: (949) 608-9142
7 Ndunn@wrightlegal.net

8 Attorneys for Defendant, OCWEN LOAN SERVICING, LLC

9 THE ALBERTS FIRM
10 Jeremy J. Alberts (SBN 273290)
11 Batkhand Zoljargal, Esq. (SBN 262918)
12 1600 N. Broadway, Suite 1010
13 Santa Ana, CA 92706-3927
14 Phone: 714-441-1144
15 Fax: 714-547-7633

16 Attorney for Plaintiff, MARK BINGHAM

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 MARK BINGHAM,

20 Plaintiff,

21 vs.

22 OCWEN LOAN SERVICING, LLC, a
23 Delaware Limited Liability Company;
24 TD SERVICE FINANCIAL
25 CORPORATION, a California
26 Corporation ; and DOES 1 through 100,
27 inclusive,

28 Defendants.

Case No. 5:13-CV-04040-LHK MED

**STIPULATION FOR DISMISSAL
OF THE ENTIRE ACTION WITH
PREJUDICE**

[FRCP, Rule 41(a)(1)(A)(ii)]

Defendant, OCWEN LOAN SERVICING, LLC ("Ocwen"), by and through its attorneys of record, and Plaintiff MARK BINGHAM ("Plaintiff") hereby stipulate and agree as follows:

1. Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), Plaintiff and Ocwen hereby stipulate that the above-captioned action shall be and is immediately dismissed in its entirety and with prejudice; and

2. Plaintiff and Ocwen further stipulate that the Court for the above-captioned action shall retain jurisdiction to enforce, if necessary, the Parties performance under the express terms of the Settlement and Release Agreement entered into by and between Plaintiff and Ocwen, which Release Agreement gave rise to this Stipulation for Dismissal (hereinafter the "Release Agreement").

IT IS SO STIPULATED.

August 22
Dated: July __, 2014

Respectfully submitted,

WRIGHT, FINLAY & ZAK, LLP

By: 

T. Robert Finlay, Esq.

Nicole S. Dunn, Esq.

Attorneys for Defendant, Ocwen Loan Servicing, LLC

August 14
Dated: July __, 2014

THE ALBERTS FIRM

By: 

Jeremy J. Alberts, Esq.

Batkhand Zoljargal, Esq.

Attorneys for Plaintiff, Mark Bingham

PROOF OF SERVICE

I, Jovete Elguira, declare as follows:

I am employed in the County of Orange, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 4665 MacArthur Court, Suite 280, Newport Beach, California 92660. I am readily familiar with the practices of Wright, Finlay & Zak, LLP, for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On August 29, 2014, I served the within **STIPULATION FOR DISMISSAL OF THE ENTIRE ACTION WITH PREJUDICE** on all interested parties in this action as follows:


Jeremy Alberts, Esq.
The Alberts Firm
1600 N. Broadway, Suite 1010
Santa Ana, CA 92706

☐ (BY MAIL SERVICE) I placed such envelope(s) for collection to be mailed on this date following ordinary business practices.

☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(b)(2)(E).

☒ (FEDERAL) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 29, 2014, at Newport Beach, California.


Jovete Elguira